

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ERIC GRIFFIN,	:	
Plaintiff,	:	CIVIL ACTION NO. 3:16-2412
v.	:	(JUDGE MANNION)
DON E. BOWER, INC.,	:	
Defendant.	:	

ORDER

In light of the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT** the plaintiff's motion to strike, (Doc. [9](#)), is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) The plaintiff's motion, (Doc. [9](#)), is granted with respect to the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fifteenth, seventeenth, eighteenth, nineteenth, and twentieth affirmative defenses listed in the defendant's answer, (Doc. [5](#)), to the plaintiff's complaint, (Doc. [1](#));
- (2) The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fifteenth, seventeenth, eighteenth, nineteenth, and twentieth affirmative defenses listed in the defendant's answer, (Doc. [5](#)), are **STRICKEN** as redundant and/or legally deficient;
- (3) The plaintiff's motion, (Doc. [9](#)), is **GRANTED IN PART** and **DENIED IN PART** with respect to the sixteenth affirmative defense listed in the defendant's answer, (Doc. [5](#)), to the plaintiff's complaint, (Doc. [1](#));
- (4) The portion of the defendant's sixteenth affirmative defenses alleging that the plaintiff was fired due to a lack of work will stand and the plaintiff's motion is **DENIED** to the extent it seeks to strike this allegation as an affirmative defense; and

- (5) The remaining portion of the defendant's sixteenth affirmative defense is **STRICKEN** and the plaintiff's motion is **GRANTED** in this respect.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: September 28, 2017

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